

REMARKS

Claims 30-37 are currently pending in this application. The Office Action requires a restriction of the pending claims to one of the following six claim groups:

Group I: claims 30-32, directed to nucleic acid molecules, vectors and transformed host cells containing the polynucleotide sequence of SEQ ID NO:20;

Group II: claim 33, directed to polypeptides containing the amino acid sequence of SEQ ID NO:27;

Group III: claim 34, directed to oligonucleotides containing the sequence of SEQ ID NO:11;

Group IV: claim 35, directed to oligonucleotides containing the sequence of SEQ ID NO:12;

Group V: claim 36, directed to oligonucleotides containing the sequence of SEQ ID NO:30 or 31; and

Group VI: claim 37, directed to polypeptides encoded by the oligonucleotides of claim 36 (*i.e.*, oligonucleotides containing the sequence of SEQ ID NO:30 or 31).

In order to be fully responsive, Applicants hereby elect, with traverse, to prosecute claims corresponding to Group II, directed to polypeptides comprising the amino acid sequence of SEQ ID NO:27. However, Applicants respectfully traverse the Requirement, and reserve the right to petition therefrom under 37 C.F.R. 1.144. In particular, Applicants respectfully request that the Requirement for Restriction be withdrawn, so that all of the pending claims may be examined together in this application.

Under Patent Office examining procedures, “if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims directed to distinct or individual inventions.” See, M.P.E.P. 803 (emphasis added). The groups of claims designated in this Official Action are inter-related as directed to polynucleotides and polypeptides encoded by the same. They do not, therefore, define

methods or compositions which are sufficiently distinct to warrant separate examination and searches. For the foregoing reasons, Applicants respectfully request that the Requirement for Restriction be withdrawn, and that claim Groups I and II be rejoined and examined together in this application.

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Respectfully submitted,



Samuel S. Woodley, Ph.D. (Reg. No. 43,287)

Amy G. Klann, Ph.D. (Reg. No. 48,155)

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700 (Tel)

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant